6. (Amended) The method of claim 5, wherein the nucleic acid has a molecular radius of at least 3.2 nm.

7. (Amended) The method of claim 5, wherein the nucleic acid has a molecular radius of at least 6.4 nm.

8. (Amended) The method of claim 1 or 5, comprising the additional step of thinning the sclera prior to contacting the scleral surface with the nucleic acid.

9. (Amended) The method of claim 8, wherein the sclera has a thickness less than 70% of its pre-thinned thickness.

10. (Amended) The method of claim 9, wherein the sclera has a thickness less than 60% of its pre-thinned thickness.

11. (Amended) The method of claim 1 or 5, wherein the nucleic acid is contacted with said sclera together with means for facilitating the transport of the nucleic acid through the sclera.

12. (Amended) The method of claim 1 or 5, wherein the nucleic acid is delivered to the sclera by a pump.

A2 cont

13. (Amended) The method of claim 12, wherein the pump is a mechanical or osmotic pump.

14. (Amended) The method of claim 1 or 5, wherein the nucleic acid is delivered to by sclera by a microchip.

15. (Amended) The method of claim 1 or 5, wherein the mammal is a human.

16. (Amended) The method of claim 1 or 5, wherein the method is used to treat a retinal or choroidal disease.

17. (Amended) The method of claim 16, wherein the retinal or choroidal disease is selected from the group consisting of macular degeneration, diabetic retinopathy, retinitis pigmentosa and other retinal degenerations, retinal vein occlusions, sickle cell retinopathy, glaucoma, choroidal neovascularization, retinal neovascularization, retinal edema, retinal ischemia, proliferative vitreoretinopathy, and retinopathy of prematurity.

A2 cont

18. (Amended) The method of claim 1 or 5, wherein the nucleic acid molecule is a purified nucleic acid molecule.

Please enter the following new claim:

A3

21. (New) The method of claim 1 or 5, wherein the nucleic acid, when delivered, reduces development of choroidal neovascularization.

REMARKS

Claims 1-18 have been amended. Claims 19 and 20 have been cancelled without prejudice. Claim 21 has been added. Upon entry of this amendment, claims 1-18, and 21 will be pending in this application.

The outstanding Office Action was addressed to the Paul T. Clark at the firm of Clark and Elbing, LLP. Responsibility for the application has been transferred to the firm of Testa, Hurwitz, and Thibeault, LLP. Accordingly, please send all further communications to the Patent Administrator, Testa, Hurwitz & Thibeault, LLP, 125 High Street, Boston, MA 02110.

Support for the amendments to claims 1 and 5 may be found, for example, on page 13, lines 8 and 16-18, and Example 1 of the application, as filed. Support for the amendments to claims 8, 12 and 13 may be found, for example, in claims 8, 12 and 13, as filed. Claims 2-4, 6, 7, 11, 14, and 18 have been amended to clarify antecedent basis, and claims 9, 10, and 15-17 have been amended to modify grammar. Basis for new claim 21 may be found, for example, on page 34, lines 10-14 of the application as filed. Applicants believe that the amendments introduce no new matter.

Each of the issues raised in the Office Action are addressed below in the order in which they appear in the Office Action.

Oath/Declaration

According to page 2 of the Office Action, the oath or declaration reportedly is defective. Applicants enclose an executed Supplemental Declaration and Power of Attorney document, and submit that the Supplemental Declaration obviates this objection. Accordingly, Applicants respectfully request that this objection be reconsidered and withdrawn.